

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
[Non-prisoner] Complaint Form



Abjul Bey Known As Jaguar Sun of)
Ba-Pakal Luma Nation) Civil Action No. 23 cv 521
Plaintiff,)
v.)
The State of North Carolina)
Defendants)
Judge, BRADLEY REID ALLEN SR,)
GRAHAM POLICE DEPARTMENT,)
HAW RIVER POLICE DEPARTMENT, ET AL)
(All in Official and Independent Capacity))

COMPLAINT

At all times plaintiff is an American Autochton of Ba-Pakal Luma Nation

Plaintiff, Jaguar Sun of Ba-Pakal Luna Nation is a Natural Born indigenous Autochton American Indian, not the dead entity "JOHN DOE", is filing a complaint against all Defendants for the deprivation of rights under color of law title 18 usc 241-242, Deprivation of Jaguars Liberty, Property and Kidnapping Jaguar under false pretenses in 2004 - 2023, Graham police department stole his property, taken personal property from me on July 12, 2022, he has a right TO BE SECURE FROM UNREASONABLE SEIZURES, INJURY, make this Federal Complaint of my own and free will and hereby affirm, bringing this complaint to light and claim to resolve issues of environmental racism, forced Identity, official oppression, and denial of rights as follows:

- This action arises under title 18 241 - 242 to redress deprivation of rights of plaintiff through acts and conspiracy of defendants committed under color of law.
- Additionally, plaintiff relies upon the Court's supplemental jurisdiction to assert the North Carolina of battery and spoliation of evidence.

STATEMENT OF CLAIM

I Jaguar Sun of Ba-Pakal Luna Nation am a Natural Born indigenous Autochton American Indian, living on the land not the dead entity "JOHN DOE", hereby affirm, declare that I am the legal age and of sound mind, hereby attest that the statements & information contained in this complaint are true and correct to the best of my knowledge. I am a living, breathing, sentient man who follows the 1968 Indian Civil Rights Act, 1677 Treaty Of Middle Plantation, the United States Constitution. I am protected by the United States Constitution, Treaty law, State law and international law. I am not a corporate person, North Carolina/United States "citizen", "subject", "vessel", "person", or any artificial entity, procedural phantom, legal fiction, or juristic personality within NORTH CAROLINA/UNITED STATES. I am a Living sentient being who has inherent sovereignty and is outside of these dominions (10 square miles). I am an indigenous Autochtonous American Indian who has been forced nationalized by the Snyder Act. Because of my forced status, I am also protected by international laws, ie United Nations Resolution 1514, Convention on the Prevention and punishment of the crime of Genocide, American Declaration of the Rights of Indigenous People, and the 1945 Geneva convention,etc.

INTRODUCTION

This action sought redress for Violations of rights under the AMDRIP (American Declaration of the Rights of Indigenous People), Indian Civil Rights Act. Plaintiff is seeking damages which begin in 2004 in which defendant's JUDGE J. B. ALLEN CRIMINAL COURTHOUSE, GRAHAM POLICE DEPARTMENT and HAW RIVER falsely accused me of being a "Driver" and a "Operator". Plaintiff has told all Defendants that he is not a "Driver" or a "Operator" that is getting paid by the Federal or State government. For over 19 years, this abusive and unconstitutional treatment has been, and continues to be, a regular and common practice by the Alamance County Judge J. B. ALLEN CRIMINAL COURTHOUSE, GRAHAM POLICE DEPARTMENT, HAW RIVER POLICE DEPARTMENT, NORTH CAROLINA STATE TROOPERS, unlawfully stopping and penalizing people for no reason.

1. Defendants have unlawfully charged and fined me over a 19 year time sequence with no evidence, corpus delicti and no damaged property!
2. Plaintiff has sent documentation to all Defendants of evidence of not needing a license and registration for anything that is not commercial through Certified U.S. mail with return receipt and they failed to respond in the time limit that was given to them, provided in EXHIBIT B.

3. Plaintiff has asked all Defendants to show me evidence where it says that I, the living sentient being, have to register my personal property and follow statutes, codes, regulation and policy (rule of law).
4. Plaintiff have asked all Defendants to prove that I am a citizen, resident of corporate NORTH CAROLINA and UNITED STATES.
5. Defendants BRADLEY REID ALLEN SR, LARRY BROWN, FREDRICK WILKINS JR. & CATHERINE OVERBEY, hardly looked at evidence that was presented to them.
6. Plaintiff has told all Defendants who he is and what he is not: The misnomers Black or African-american.
7. Plaintiff seeks remedy and makes claim for Violations of Unalienable Rights, Constructive Fraud, Identity Theft, Unlawful Conversion, false arrest, false imprisonment, slavery, Negligence, Intentional and Negligent Infliction of Emotional Distress and Injury.
8. Plaintiff states Defendants have been notified countless times of who I am and who I am not and they continue to violate me.
9. Plaintiff is denied the free unencumbered right of movement on his homeland and Nationality.
10. Plaintiff is suffering from insurmountable rights deprivation under title 18 241 - 242, and violations, as a consequence of Plaintiff decision to defend Plaintiffs rights to freedom, Due Process of law and malicious prosecution committed by Defendants BRADLEY REID ALLEN SR, LARRY BROWN, FREDRICK B. WILKINS JR, CATHERINE OVERBY, GRAHAM POLICE DEPARTMENT, HAW RIVER POLICE DEPARTMENT.
11. Defendants relevant to this complaint are employees of different companies and agencies.

12. As a Nation my people and I never consented to be made citizens, thus we were never given full faith and credit disclosure or consent. All laws and Statutes don't apply to myself or my fellow brothers and sisters American Indian because they violate the U.S. Constitution of Article 1 Sec. 2 Clause 3, Indians not taxed. To tax is defined by Etymology as: *"tax (v.)c. 1300, "impose a tax on," from Old French taxer "Abjul a tax" (13c.) and directly from Latin taxare "evaluate, estimate, assess, handle," also "censure, charge," probably a frequentative form of tangere "to touch," from PIE root *tag- "to touch, handle." Sense of "to burden, put a strain on"* We are not your subjects or your citizens. My Nation is an inherent government sharing and living on the same land as your government. **"A law repugnant to the Constitution is void. An act of Congress repugnant to the Constitution cannot become a law. The Constitution supersedes all other laws and the individual's rights shall be liberally enforced in favor of him, the clearly intended and expressly designated beneficiary." – Marbury v. Madison, 5 U.S. 137 (1803)**
13. Both our governments have placed things in place to respect each other's independence and to keep the peace on this land. House Joint Resolution 3 of the 110th Congress and The North-west Ordinance by Congress in 1787 states; **"The utmost good faith shall always be observed towards the Indians"**. It is the responsibility of every Constitutional law enforcement officer to uphold their oath. The U.S Constitution is the supreme law of the land, no statutes, codes, rules or regulations supersede it. The State of North Carolina was not given any authority over the American Indian from the United States Congress with regards to Public Law 280. Each an every time, I have been pulled over and stopped by the various North Carolina police agencies my rights have been violated

NATURE OF CLAIM

Plaintiff, Abjul Bey aka Jaguar Sun of Ba-Pakal Luma Nation, complaining against defendants, BRADLEY REID ALLEN SR, GRAHAM POLICE DEPARTMENT, HAW RIVER POLICE DEPARTMENT, Etc states as follows:

- In the course of plaintiffs lawful purpose of property in which he has a constitutional right to acquire and protect property, and the right to be secure AGAINST UNREASONABLE SEIZURES. All Defendants were put on NOTICE of who I am and who I am not, Defendants proceeded to trespass upon me and my property and falsely accused Jaguar of violating their rule of law.

- Plaintiff do not has never had a criminal record ever in his existence
- Plaintiff has told all Defendants that there is no law for him to pledge his private property to the state unless I am in a commercial capacity, and I am not.
- Plaintiff has been stopped without probable cause and violated by GRAHAM POLICE DEPARTMENT, HAW RIVER POLICE DEPARTMENT & NORTH CAROLINA STATE TROOPERS, without probable cause and no crime being committed in front of them.
- Plaintiff's love of his life Carla Shields has health issues and was in Alamance Regional Medical Center (Cone Health Alamance Regional Medical Center) for 30 days and in Alamance Health Care Center for 30 days. On February 18, 2018, on this particular day Carla Shields called the Plaintiff to bring her some dinner. When Plaintiff left his home to take Carla her dinner, Plaintiff was encountered by Defendant W. J. Hopkins D.B.A W. J. HOPKINS GRAHAM POLICE OFFICER around 4:30 pm to 5:00 pm on that day. (Hopkins) activated his emergency lights when there was no emergency. I pulled over to see what the problem was, he (Hopkins) approached my private property and asked for license and registration. I proceeded to tell him that I am not in that capacity. Defendant (Hopkins) got upset because I wouldn't give him the state created name, so the Defendant (Hopkins) tried every tactic he could think of. Plaintiff knows that if he didn't commit a crime, Plaintiff doesn't have to give his name. Plaintiff was falsely arrested by Defendant on that day, Plaintiff spent 3 days in County lock up. Carla Shields had to pay \$500 to bail Plaintiff out.
- In September of 2022 Plaintiff decided to take Carla Shields out on a date, Plaintiff was encountered by Jackson D. Brinkley D.B.A JACKSON D. BRINKLEY HAW RIVER POLICE OFFICER, It was a humid day. Carla Shields is on oxygen and she was getting overheated because there was no air blowing and only hot air was blowing. The Defendant was also told that I am not in that capacity, and that I am American Indian, we are not required to carry license or need permission to move on our land.
- On July 12th, 2022, Defendant E. Jordan D.B.A E. JORDAN GRAHAM POLICE OFFICER while going to court, also told Defendant who I am and that I wasn't in that capacity and that I am not required to carry that document. Plaintiff told the defendant that my

private property had insurance on it and ran the vin of my private property and the info came back from the old owner of my private property. The Defendant stole my private property and took my tribal plate.

- Plaintiff also informed defendants that he is not the misnomer Black or African-American and that he is not part of UNITED STATES INC, nor is he an employee, resident or citizen.
- IN VIOLATION OF TITLE 18 USC 241- CONSPIRACY AGAINST RIGHTS If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or (THE RIGHT TO ACQUIRE AND DEFEND PROPERTY)
- They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.
- If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured.
- The defendants violated the fourth amendment in its entirety committing a false arrest and false accusations accompanied by the withholding of evidence from the plaintiff and the courts.
- Defendants also deprived Jaguar of his 5th amendment rights, Fifth Amendment which states in part that "No person shall be deprived of life, liberty, or property, without due process of law; here Jaguar was deprived of liberty and property without due process of law unreasonably and by defendants under color of law.

- 5th Amendment also states that no private property shall be taken without compensation, and GRAHAM POLICE DEPARTMENT and OFFICER E. JORDAN stole my property on July 12th 2022.
- 18 USC 242 DEPRIVATION OF RIGHTS UNDER COLOR OF LAW WHICH STATES Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities, secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.
- Ex post facto laws -- Impairment of contract obligations -- Privilege or immunity. No ex post facto law, or law impairing the obligation of contracts or making any irrevocable grant of privilege, franchise or immunity, shall be passed.
- Qualified immunity is an unconstitutional doctrine that shields government officials, typically law enforcement. While they have served non legitimate purposes, their application should be deemed unconstitutional to ensure they cease to infringe upon and violate fundamental rights and principles. Striking a balance between efficiency and justice is essential, as the integrity of the judicial system depends on upholding constitutional guarantees and ensuring accountability. Reevaluating the constitutionality and qualified immunity is crucial for maintaining a legal system that remains faithful to the principles of fairness, due process, and the protection of constitutional rights. The President, Vice President and ALL CIVIL OFFICERS of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

- They have no immunity to me in a suit for damages or jail time in either their private or public servant capacity. TITLE 42 § 12202 A State shall not be immune. TITLE 15 § 1122 No Immunity to state actors.
- TITLE 5 PART III Subpart B CHAPTER 33 SUBCHAPTER II § 3331 Oath of office An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against ALL, enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.
- ALL CIVIL SERVANTS Including JUDGES and JUSTICES Job Description: UPHOLD THE CONSTITUTION AGAINST ALL ENEMIES. They are summarily dismissed without benefit of any type. Their misconduct is a high misdemeanor and may be charged for treason. Just following orders to commit a crime is not a defense, nor is ignorance.
- They have sworn not to violate the Constitution of the United States of America. TITLE 5 § 3331, which as a public servant cannot do.
- TITLE 18 PART I CHAPTER 93 § 1918 Disloyalty and asserting the right to strike against the Government Whoever violates the provision of section 7311 of title 5 that an individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he advocates the overthrow of our constitutional form of government; is a member of an organization that he knows advocates the overthrow of our constitutional form of government; participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia; shall be fined under this title or imprisoned not more than one year and a day, or both.

A high crime is equal to a felony & a felony is any term greater than 1 year.

When a judge, District Attorney or any other Federal or State employee violates his or her oath they become a Trespasser of the Law, and voids the oath of the Judge, He/She is acting as a

private person upon violation of LAW and OATH. TITLE 28 PART I CHAPTER 21 § 454 Practice of law by justices and judges; Any justice or judge appointed under the authority of the United States who engages in the practice of law is guilty of a high misdemeanor.

The Supremacy Clause appears in Article VI of the United States Constitution. It establishes the Constitution, Federal Statutes, and U.S. treaties as "the supreme law of the land."

State or Federal employees are required to uphold it, even if state laws or Constitutions conflict with it TITLE 28 PART I CHAPTER 21 § Sec, 453. Oaths of justices and judges:

Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: "I, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as. Under the Constitution and laws of the United States. So help me God."

UNDER TITLE 28 PART IV CHAPTER 85 1343, #3:

JUDICIAL OFFICERS OF THE COURTS AND PRACTICING ATTORNEYS ARE VIOLATING THEIR SWORN OATH TO ADMINISTER JUSTICE WITHOUT RESPECT TO PERSONS AND DO EQUAL RIGHT TO THE POOR AND THE RICH AND ARE NOT FAITHFULLY AND IMPARTIALY DISCHARGE AND PERFORMING DUTIES THEY ARE ADMINISTERING JUSTICE WITH RESPECT TO CITY AND STATES OFFICERS DENYING EQUAL JUSTICE FOR ALL WHEN THE ACCUSED IS AN OFFICER JUDGE LAWYER ETC.

Article VI US CONSTITUTION:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

PARTIES

1. Bradley Reid Allen Sr D.B.A BRADLEY REID ALLEN SR CHIEF DISTRICT COURT JUDGE
2. Fredrick B. Wilkins Jr. D.B.A FREDERICK B. WILKINS JR. JUDGE
3. Catherine Overby D.B.A CATHERINE OVERBEY JUDGE
4. Larry Brown D.B.A LARRY BROWN JUDGE
5. Sean Boone D.B.A SEAN BOON, CITY DISTRICT ATTORNEY

6. Meredith Edwards D.B.A MEREDITH EDWARDS CLERK OF COURT
7. John Nedly D.B.A JOHN NEDLY, ASSISTANT DISTRICT ATTORNEY
8. Kaitlyn Roddick D.B.A KAITLYN RODDICK, ASSISTANT DISTRICT ATTORNEY
9. Roy Cooper D.B.A ROY COOPER NORTH CAROLINA GOVERNOR
10. Mark Keith Robinson D.B.A MARK KEITH ROBINSON LIEUTENANT GOVERNOR
11. Josh Stein D.B.A JOSH STEIN NORTH CAROLINA ATTORNEY GENERAL
12. Eric Boyette D.B.A ERIC BOYETTE NORTH CAROLINA SECRETARY of TRANSPORTATION
13. Torre Jessup D.B.A TORRE JESSUP NORTH CAROLINA DEPARTMENT of MOTOR VEHICLES
14. Wayne Goodwin D.B.A WAYNE GOODWIN, DIVISION OF MOTOR VEHICLES
COMMISSIONER
15. Jonathan Evans D.B.A JONATHAN EVANS NORTH CAROLINA DEPARTMENT of MOTOR
VEHICLES
16. E. R. Dix D.B.A E. R. DIX NORTH CAROLINA STATE TROOPER
17. Jeff Prichard D.B.A JEFF PRICHARD GRAHAM POLICE CHIEF
18. Mary (Kristy) Cole D.B.A KRISTY COLE GRAHAM POLICE CHIEF
19. E. Jordan D.B.A E. JORDAN, GRAHAM POLICE OFFICER
20. D. Strader D.B.A D. STRADER, GRAHAM POLICE OFFICER
21. W. J. Hopkins D.B.A W. J. HOPKINS, GRAHAM POLICE OFFICER
22. A. Y. Phillips D.B.A A. Y. PHILLIPS, GRAHAM POLICE OFFICER
23. A. Louizes D.B.A A. LOUIZES, GRAHAM POLICE OFFICER
24. Y. D. Adina D.B.A Y. D. ADINA, GRAHAM POLICE OFFICER
25. GRAHAM POLICE DEPARTMENT

26. Jennifer Tally D.B.A JENNIFER TALLEY GRAHAM MAYOR

27. HAW RIVER POLICE DEPARTMENT

28. Jackson D. Brinkley D.B.A JACKSON D. BRINKLEY, HAW RIVER POLICE OFFICER

29. ALAMANCE COUNTY SHERIFF DEPARTMENT

30. ALAMANCE COUNTY

31. Elaine F. Marshall D.B.A ELAINE F. MARSHALL SECRETARY OF STATE

RELIEF

A. The Plaintiff Jaguar Sun request upon this court to provide relief in the following ways:

- 1) Jaguar Sun and other members will be made free from any further violations from any State Law Enforcement Agency as they have no jurisdiction over American Indians.
- 2) Jaguar Sun is requesting Punitive damages for each defendant in the amount of 10.5 Million per individual; 11.5 Million in their individual/private Capacity and 13.5 Million in their official government capacity.
- 3) In regards to the individual Counties: Jaguar Sun is requesting 3000 square feet of county land from each county that violated any of their members.
- 4) The State of North Carolina has been responsible for centuries of Genocide and the miseducation of the indigenous people; Jaguar Sun is requesting programs with the intent to re-education people of color.

Signed this _____ day of _____, 2023

Jaguar Sun

Jaguar Sun

Member of Ba-Pakal Luma Nation

90812 LARRY AVENUE NORTH CAROLINA [near 27255]

Address

336-358-0570

Telephone Number